

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Suits – VRSP - Land Acquisition – Kurnool district – Lands acquired at Atmakur Village and Mandal in Kurnool District for construction of VRSP staff quarters and office Building etc., - OP No.659/1989 on the file of the Court of the Subordinate Judge, Atmakur disposed off – Market value enhanced – SLP dismissed - Depositing of decretal amount in the respective court – Decretal amount sanctioned –Orders – Issued.

IRRIGATION & C.A.D (PW: L.A.II) DEPARTMENT

G.O.Rt.No. 849

Dated:18.12.2010

READ THE FOLLOWING:

- 1.From the District Collector, Kurnool, Lr.Rc.G1/1736/2009
Dated: 19.5.2010.
- 2.From the Special Chief Secretary to Government, & CCLA,A.P.,
Hyderabad, CCLA's Lr.No.G4/891/2010, Dated: 7.7.2010.

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O R D E R:

In the reference 1st read above, the District Collector, Kurnool has reported that the Revenue Divisional Officer, Kurnool had acquired an extent of 2.48 acres of land in Sy.No.705/1 (Ac.2.26) in Sy.No.705/3 (Ac.0.22) situated at Atmakur Village and Mandal in Kurnool District for the purpose of construction of VRSP staff quarters and office building etc vide Award No.2/89, dated 17.01.1989 by fixing the market value of the acquired land @ 5500/- P.A. The claimants have not satisfied with the same and they have sought reference U/s 18 of the L.A.Act. The Lower Court enhanced the market value to Rs.3,30,000/- P.A. in O.P.No.659/1989 dated: 20.10.1992. Aggrieved by the orders of Reference Court, the Land Acquisition Officer filed an appeal and the same was dismissed By Hon'ble High Court of Andhra Pradesh, Hyderabad on 18.04.2009 in A.S.No.2357/93. The Government Pleader for appeals, High Court of Andhra Pradesh in his letter dated 15.07.2009 has opined that he does not find any grounds to prefer an appeal before Supreme Court of India and advised to comply orders of Judgment of the Hon'ble Court at the earliest, so as to avoid the further interest. However, the Advocate General in his letter dated 22.01.2010 has opined that it is a fit case for filing the SLP. The then Revenue Divisional Officer, Kurnool has filed SLP in the Supreme Court of India and the same was dismissed while condoning the delay. Consequent on dismissal of SLP, the District Collector, Kurnool has submitted decretal charges proposal for an amount of Rs.31,96,466/- for sanction for depositing to the credit of LAOP No.659/89 in the Lower Court. In turn, the Chief Commissioner of Land Administration in his reference 2nd read above has sent the proposal of the Collector, Kurnool to the Government for sanction an amount of Rs.31,96,466/- towards balance decretal charges in respect of OP No.659/1989 pertaining to Atmakur Village and Mandal in Kurnool District.

2. Government after careful examination of the above proposal hereby accord sanction for an amount of Rs.31,96,466/- (Rupees thirty one lakhs, ninety six thousand four hundred and sixty six only) towards balance decretal charges to be deposited in the respective Court to the credit of OP.No.659/1989 pertaining to Atmakur Village and Mandal, Kurnool District in connection with the lands acquired through Award No.2/1989, dated 17.01.1989 for the purpose of construction of VRSP staff quarters and office building etc., subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines /directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules / guidelines issued by the Government / Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad, immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of concerned Chief Engineer as to the extent of land acquired. Further, the District Collector, Kurnool should verify the calculations made by the Land Acquisition Officer, once again thoroughly with reference to the decree and instructions issued by the Government / Chief Commissioner of Land Administration, Hyderabad on the subject from time to time, before depositing the above sanctioned amount in the Lower Court.

Contd.2.

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3. The amount sanctioned in para (2) above shall be debitable to the following detailed Head of Account under "4701 – COL on Major and Medium Irrigation; 03 – Medium Irrigation (Commercial); MH-153 Varadarajaswamy Gudi Project - GH 11 – NSP; S.H.(26) D & A Works; 530 Major works; 532- Lands (charged)" and shall initially be met by way of an advance from Contingency Fund, orders regarding which will be issued by Finance (BG) Department separately.

4. The Engineer-in-Chief, Medium Irrigation, Hyderabad shall take action for obtaining supplementary grant at appropriate time during the current financial year towards recoupment to the advance sanctioned from Contingency Fund.

5. This orders issues with the concurrence of Finance (Expr.PW) Department vide their U.O. No 31276/1044/Expr.PW/A1/10, dated:2.12.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To

The Special Chief Secretary to Government &
Chief Commissioner of Land Administration,
Andhra Pradesh, Hyderabad.

The District Collector, Kurnool District.

The Revenue Divisional Officer, Kurnool.

The Engineer-in-Chief, Medium Irrigation, Hyderabad.

The Executive Engineer, MI Works Division, Nandyal.

The Director of Works and Accounts, Hyderabad.

The District Treasury Officer, Kurnool.

The Pay and Accounts Officer, Kurnool.

The Joint Director of Works, & Accounts, Kurnool.

Copy to:

The P.S. to Prl. Secretary to Chief Minister.

The P.S. to Minister (M & MI)

The P.S. to Secretary to Government, I & CAD Department.

The Law Department.

The Finance (Exp.PW/BG) Department.

Stock File/Spare copies.

//Forwarded::By Order//

SECTION OFFICER